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1. Notice of Appeal to the Board of Patent Appeals and Interferences;
2. Pre-Appeal Brief Request for Review; and
3. Reasons in Support of Applicants' Pre-Appeal Request for Review.

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**RESPONSE UNDER 37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 2152**

Attorney's Docket No.: 5577-223

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: Bruton, et al.

Serial No.: 09/773,811

Filed: January 31, 2001

For: **METHODS, SYSTEMS AND COMPUTER PROGRAM PRODUCTS FOR
SELECTIVELY ALLOWING USERS OF A MULTI-USER SYSTEM ACCESS
TO NETWORK RESOURCES**

Confirmation No.: 2267

Group Art Unit: 2152

Examiner: Truong, Lan Dai T

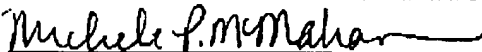
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Patent and Trademark Office via facsimile number 571-273-8300 on July 19, 2006.
Michele P. McMahan**REASONS IN SUPPORT OF APPLICANTS' PRE-APPEAL REQUEST FOR REVIEW**

This document is submitted in support of a Pre-Appeal Request for Review filed in compliance with 37 C.F.R. § 41.31. If any additional fee or extension of time for this request is required, Applicants request that this be considered a petition therefor. The Commissioner is authorized to charge any additional fee which may be required, or credit any refund, to our Deposit Account No. 09-0461.

For the reasons set forth herein, Applicants request a Pre-Appeal Brief Review of the rejections of Claims 1-9 and 14-28, each of which stand finally rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,191,611 to Lang ("Lang").

I. The Rejections of Claims 1-9 and 14-23

Independent Claims 1, 14 and 19 are directed to, respectively, a method, a system and a computer program product for selectively allowing access to a plurality of resources in a network. Claim 1, which is representative of all three claims, recites:

1. A method for selectively allowing access to a plurality of resources in a

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network, the method comprising:

receiving a request originated from a user of a multi-user system to transmit a message via the multi-user system over the network to one of the plurality of resources, wherein each of the plurality of resources has been assigned to one of a plurality of security zones based on a level of security sensitivity of the resource;

identifying a one of the plurality of security zones that is associated with the one of the plurality of resources;

determining if the user of the multi-user system is authorized access to the identified one of the plurality of security zones; and

forwarding the message from the multi-user system over the network only if it is determined that the user is authorized access to the identified one of the plurality of security zones.

Claims 14 and 19 are system and computer program product claims that closely track Claim 1.

Claims 2-9, 15-18 and 20-23 depend from Claims 1, 14 and 19, respectively. For the reasons discussed herein, Applicants respectfully submit that Lang does not anticipate any of Claims 1-9 or 14-23.

A. Lang Does Not Assign Each of a Plurality of Resources to One of a Plurality of Security Zones

Claims 1-9 and 14-23 each recite that "each of [a] plurality of resources [is] assigned to one of a plurality of security zones based on a level of security sensitivity of the resource." The Final Action cites to an SCFAX communications system and/or a storage media in Lang as meeting this recitation of the pending claims. (See Final Action at 3). However, neither of the cited portions of Lang disclose assigning each of a plurality of resources to one of a plurality of security zones. Instead, in the SCFAX system embodiment of Lang, a plurality of users share a recipient fax machine and "are dynamically assigned . . . unique logical zones." (Lang at Col. 9, lines 11-21 and FIG. 6). The SCFAX system of Lang is thus a single resource that has a plurality of users who are each assigned to a unique logical zone. The storage media (e.g., CD-ROM) embodiment of Lang likewise is a single resource that is divided into a plurality of

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logical zones. (Lang at Abstract). As such, the cited portions of Lang do not disclose assigning each of a plurality of resources to one of a plurality of security zones as recited in Claim 1.

In the Advisory Action, the Examiner argues that Lang discloses assigning each of a plurality of resources to one of a plurality of security zones because the storage media of Lang stores "materials such as data, messages or other textual information" which is the equivalent to "resources." (Advisory Action at 2). However, the present application expressly states that "the term 'resource' refers to any separately addressable entity in the network." (Application at p. 8, lines 27-29). The "data, messages or other textual information" on the storage media of Lang clearly are not "separately addressable entit[ies] in a network." As such, the Advisory Action fails to rebut Applicants showing the Lang does not disclose assigning each of a plurality of resources to one of a plurality of security zones as recited in Claims 1-9 and 14-23.

B. Lang Does Not Disclose Identifying a Security Zone that is Associated with a Resource

Claims 1-9 and 14-23 also each recite "identifying a one of the plurality of security zones that is associated with the one of the plurality of resources." The Final Action states that the storage media of Lang is the "one of a plurality of resources", and that it may be subdivided into a plurality of logical zones. (Final Action at 3). While the storage media of Lang may be subdivided into multiple zones, the zones of Lang are associated with a particular user as opposed to with the one of the plurality of resources. Thus, the failure of Lang to disclose "a one of the plurality of security zones that is associated with the one of the plurality of resources" provides an independent basis for withdrawal of the rejections of Claims 1-9 and 14-23.

C. Lang Does Not Disclose Forwarding the Message Only if it is Determined the User is Authorized Access to the Security Zone

Claims 1-9 and 14-23 further recite "forwarding the message from the multi-user system over the network only if it is determined that the user is authorized access to the identified one of the plurality of security zones." The Final Action states that Lang meets this recitation of the

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claims because "Lang discloses the communication between the user and storage media start after the authentication step is successful." (Final Action at 3-4). Applicants respectfully submit, however, that Lang does not disclose "forwarding [a] message from [a] multi-user system over [a] network." Instead, the cited portions of Lang merely state that the user is granted access to certain materials that are stored on a storage media. As such, Lang does not disclose either (1) "forwarding [a] message from a multi-user system" or (2) communicating "over [a] network." Thus, for each of the above reasons, Applicants respectfully submit that the rejections of Claims 1-9 and 14-23 should be withdrawn.

II. The Rejections of Claim 24

The Final Action states that Claim 24 is rejected for the same reasons as Claim 1. (Final Action at 2-4). However, Claims 1 and 24 contain materially different recitations, and hence Claim 24 cannot properly be rejected by reference to the rejection of Claim 1. For example, the Final Action does not explain where Lang discloses "receiving a message over the network from one of the plurality of resources that is addressed to a process running on the multi-user system that is associated with the user" as recited in Claim 24. Applicant respectfully submits that none of the embodiments of Lang disclose this recitation of Claim 24. Additionally, as discussed above, Lang also does not disclose (1) identifying a security zone that is associated with one of a plurality of resources or (2) forwarding a message only if it is determined that the user is authorized access to the identified security zone as recited in Claim 24. Thus, the rejection of Claim 24 should be withdrawn for at least these three reasons.

III. The Rejections of Claims 25-28

The Final Action states that the "file server" of Lang comprises the "data processing device" of Claims 25-28, and that the "plurality of logical zones" into which the file server can be divided is equivalent to the recited "plurality of networked resources." However, the "logical zones" of Lang clearly are not networked resources, but instead refer to directories on a single

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storage medium. (*See* Lang at Col. 11, lines 33-53). The rejections of Claims 25-28 also inconsistently and improperly state that the SCFAX communication system of Lang comprises the "data processing device" of the second clause of the body of Claim 25, even though the rejection states that the "file server" of Lang comprises the "data processing device" of the first clause of Claim 25. As neither the file server or the SCFAX system of Lang are both (1) "connected to a first network that includes a plurality of networked resources" and (2) connected to "a plurality of workstations that are configured to execute applications on the data processing device" as recited in Claim 25, these structures from Lang cannot meet the "data processing device" recitations of Claims 25-28. Lang also fails to disclose the "first data structure" of Claim 25. Thus, for each of the above reasons, Applicants respectfully submit that the rejection of Claims 25-28 should also be withdrawn.

As shown above, Lang fails to anticipate any of the pending claims. Therefore, Applicants respectfully request that the rejections be reversed by the appeal conference prior to the filing of an Appeal Brief.

Respectfully submitted,



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on <u>July 19, 2006</u>		09/773,811	1/31/01
Signature <u>Michelle P. McMahon</u>		First Named Inventor	
Typed or printed name <u>Michelle P. McMahon</u>		David Bruton	
		Art Unit	Examiner
		2152	Lan-Dai Thi Truong
Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.			
This request is being filed with a notice of appeal.			
The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.			
I am the		<u>D. Randal Ayers</u>	
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<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/98)		D. Randal Ayers	
<input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>40,493</u>		Typed or printed name	
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